



DEPARTMENT OF THE ARMY
HEADQUARTERS UNITED STATES ARMY FORCES COMMAND
1777 HARDEE AVENUE SW
FORT McPHERSON, GEORGIA 30330-1062

REPLY TO
ATTENTION OF

AFLG-PR

30 June 2002

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter (CIL) 02-28, Request to Extend the Administrative Appeal Process (AAP)

1. References:

a. DoD Interim Guidance, dated 3 April 2000, subject: Department of Defense Strategic and Competitive Sourcing Program Interim Guidance

b. OMB Circular A-76, Performance of Commercial Activities, Revised Supplemental Handbook, dated March 1996.

2. This CIL provides guidance and authority to the contracting officer (KO) to grant extensions to the AAP for complex A-76 studies.

a. Reference 1a, Attachment 5, Paragraph 3, states that the KO has the authority to grant extensions to the AAP. Additionally, the policy specifically allows for an AAP extension.

b. Reference 1b above, states "The appeals procedure should provide for a final decision within 30 days of receipt of the appeal by the Appeal Authority." The use of the term "should" by OMB recognizes that it may not always be possible for the AAB to render a decision within 30 days.

3. The process for extensions of the AAP is as follows:

a. The Chair of the AAB shall submit written requests for extensions to the KO with an explanation for the extension and the number of days required.


b. The KO shall provide a written determination of approval/disapproval regarding the extension of the AAP to the Chair within five working days after receipt of the request. IAW with Reference 1a above, the KOs should base the determination on complexity of the appeal and document the complexity in the written determination.

c. The KO shall inform other affected parties of the determination upon request. Other interested parties may request a copy of the determination under the Freedom of Information Act.

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4. You may contact Julie Grace for additional information at DSN 367-5690 or gracej@forscom.army.mil.

A handwritten signature in black ink, appearing to read 'Toni M. Gaines', written in a cursive style.

TONI M. GAINES

**Acting Chief, Contracting Division, DCS,G4
Acting Principal Assistant Responsible
for Contracting**